

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AMANDA J. LORINCE,

Defendant.

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CASE NO. 1:09CR00278-004

ORDER ADOPTING REPORT
AND RECOMMENDATION AND
ORDER AMENDING REPORT
AND RECOMMENDATION

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

This case was referred to Magistrate Judge Kenneth S. McHargh to conduct the appropriate proceedings as to defendant's violation of the conditions of probation. Magistrate Judge McHargh conduct a detention hearing, preliminary exam and revocation hearing on December 7, 2010. Defendant, after being fully advised of the allegations and potential penalties, waived the preliminary exam and admitted the following violations:

- 1) illicit drug abuse on or about November 9, 2010;
- 2) illicit drub abuse on or about October 28, 2010;
- 3) drug treatment failure;
- 4) failure to make restitution payments;
- 5) illicit drug use on or about 12/1/10 (confirmation is pending
with Alere Laboratories.

Following discussion between the parties and the supervising officer a joint recommendation was presented to the Court calling for a delay in sentencing coupled with enhanced requirements during probation. Magistrate Judge McHargh, after considering all relevant factors, the statement

of defendant and the representations of counsel and the supervising officer, issued a Report and Recommendation December 8, 2010, recommending:

- 1) terms of defendant's probation modified to require placement at Oriana House for a period of sixth months;
- 2) all previous requirements of probation to remain in effect;
- 3) sentencing to occur upon the successful completion of the Oriana House placement or immediately upon a finding that defendant has otherwise violated the terms of her probation.

This Court adopts the Report and Recommendation of Magistrate Judge McHargh and postpones sentencing in this case until after defendant has completed her placement at Oriana House (placement to be made as soon as possible) or immediately upon being notified that defendant has further violated the conditions of her probation. Additionally, the Court adopts the Order Amending Report and Recommendation and orders that the cost of placing defendant at Oriana House be waived.

The supervising officer is instructed to contact the Court for a sentencing date as soon as defendant has completed placement at Oriana House or upon receipt of information that defendant has otherwise violated the terms of her probation.

IT IS SO ORDERED.

Dated: December 13, 2010

s/ *James S. Gwin*
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE